

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

MISC.CIVIL APPLICATION No 996 of 1997

For Approval and Signature:

Hon'ble MR.JUSTICE B.C.PATEL and

MR.JUSTICE R.P.DHOLAKIA

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
 2. To be referred to the Reporter or not?
 3. Whether Their Lordships wish to see the fair copy of the judgement?
 4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
 5. Whether it is to be circulated to the Civil Judge?

PRAVINABEN B PATEL

Versus

MANUBHAI ATMARAM PATEL

Appearance:

MR KETAN A DAVE for Petitioner
MR DP VORA for Respondent No. 1

CORAM : MR.JUSTICE B.C.PATEL and
MR.JUSTICE R.P.DHOLAKIA

Date of decision: 27/03/98

ORAL JUDGEMENT (Per: B.C.Patel,J.)

The learned advocates appearing for the parties stated that they have arrived at a consensus that the petitioner shall be paid salaries from 3-2-1992 to

3-8-1996 as per Tribunal's award and no dispute shall be raised for this purpose. After taking into consideration the amount paid, remaining outstanding amount shall be paid within a period of eight weeks. An undertaking to this effect shall be filed by the respondent.

2. So far as the salary after 3-8-1996 is concerned, it will be open for the parties to lead their evidences before the Gujarat Primary Education Tribunal and to specify the Tribunal about the demand that may be raised by the petitioner herein. There is a serious dispute about the attendance, etc. and therefore, both the parties are permitted to lead necessary evidence. If they think it proper, the same may be decided by affidavits, but choice is given to the party concerned. The Tribunal shall dispose of the matter on application being filed as expeditiously as possible.

3. The petition stands allowed. Rule made absolute accordingly.

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